

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

31 ANTICIPATORY BAIL APPLICATION NO.244 OF 2021

**MURLIDHAR MANEKCHAND MITTAL
VERSUS
THE STATE OF MAHARASHTRA**

Mr. Ganesh P. Shinde, Advocate for the applicant
Mr. V. S. Badakh, APP for the respondent/State

**CORAM : SANDEEP K. SHINDE, J.
DATE : 02-08-2021**

P. C.

. Heard learned counsel for the applicant and learned APP for the respondent/State.

2. The applicant seeks pre-arrest bail in connection with Crime No. 139 of 2020 dated 14-07-2020 registered with Himayat Nagar Police Station, Dist. Nanded for the offences punishable under Sections 420 of the Indian Penal Code and Section 6(A)(B), 7(B) of the Seeds Act and Sections 23(A)(2) and 19 of the Seeds Rules.

3. Seeds Inspector in his complaint would allege that the applicant is licensee who manufactures the seeds did not confirm to the average percentage of 60% of germination, in terms of office memorandum dated 19-06-2020 issued by the Ministry of

Agriculture and Farmers Welfare Department of Agriculture, Cooperation & Farmers Welfare. Indisputably, no seed analyst's report has been obtained to justify that percentage of germination standard of Soyabin seeds was less than 60%. Thus, the allegations of cheating were not well founded. Although, the offence was registered in July, 2020, till date, prosecution has neither collected the seeds sample nor obtained the report of seeds analyst.

4. In consideration of these facts, in my view, the case is made out granting pre-arrest bail to the applicant. Hence, the following order.

ORDER

i. Application is allowed.

ii. In the event of arrest in connection with the Crime No. 139 of 2020 dated 14-07-2020 registered with Himayat Nagar Police Station, Dist. Nanded for the offences punishable under Sections 420 of the Indian Penal Code and Section 6(A)(B), 7(B) of the Seeds Act and Sections 23(A)(2) and 19 of the Seeds Rules, the applicant shall be released on bail on executing bond in the sum of Rs. 50,000/- [Rupees Fifty Thousand] with one or more sureties in the like amount.

(3)

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iii. The applicant shall join the investigation as and when called by the Investigating Officer.

[SANDEEP K. SHINDE, J.]

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